

REMARKS**Claim Rejections****Claim Rejection under 35 USC 102(b)- Le Cong et al..**

The Examiner rejected claims 1, 2, 4, and 6 as anticipated by patent no 5,789,032 to Le Cong et al. ("Le Cong"). The Examiner stated that Le Cong disclosed a rigid laminate material comprising a laminate having a top side and a reverse side, said reverse side comprising a pan-shaped sunken portion (referencing figure 3) and self-bonding reinforcing material applied to said pan-shaped sunken portion to bond thereto, the reinforcing material being contained within the pan-shaped portion of the laminate.

Applicant respectfully disagrees with the Examiner's characterization of Le Cong. As discussed in column 2, lines 49-67, Le Cong discloses a method to provide a curable coating composition (which roughly corresponds to the laminate of the Applicant's disclosure) for attachment to a substrate, such as a section of particle board. The curable coating composition of Le Cong is in a liquid form when applied to the substrate (lines 49-51), where Applicant's laminate is a rigid, two-side material. Furthermore, the curable coating composition of Le Cong does not comprise a pan shaped sunken portion or raised edges as does the Applicant's laminate. As is stated in column 2, lines 53-57, an external form is applied to the substrate (which is removed after the curable coating composition hardens) to contain and to define the thickness of the curable coating composition. The form, the substrate and the curable coating composition must be vibrated while the curable coating composition cures. As a liquid form, the curable coating composition is not capable of taking on a set physical form when applied. Therefore, neither the substrate nor the curable coating composition of Le Cong comprises a pan-shaped sunken portion or a peripheral border to retain the reinforcing material.

Furthermore, the process of Le Cong involves applying the liquid curable coating composition to a solid substrate. The process disclosed by the Applicant involves applying a liquid reinforcing material to a rigid laminate (with the laminate serving as the form). Functionally, this results in a greater amount of finishing required to produce a finished product suitable for use when using the method of Le Cong as compared to the method of the Applicant (see column 5, lines 33-39 for a description of the finishing steps

required when using the Le Cong method). In addition, the Le Cong reference discloses the need to provide a section of edging material to cover the exposed portion of the substrate since the curable coating composition will not cover the front or side portions of the substrate (See FIGS. 1 and 2 of Le Cong). Because the pan-shaped laminate portion of the Applicant's composition completely contains the reinforcing material, the laminate provides an aesthetically pleasing finish without the need for additional finishing steps or the addition of edging or similar additions.

Applicant has amended claims 1, 4 and 6 to add the limitation that the laminate be "rigid" to further distinguish the present composition from Le Cong. Support for the amendment can be found in the specification and figures. Furthermore, Applicant has added the limitation that the rigid laminated material of claims 1, 4 and 6 comprise an opening extending completely through the rigid laminated material. Such a limitation is not present in Le Cong.

Claim Rejection under 35 USC 102(b)- Harvey

The Examiner rejected claims 1-2 and 4-7 as anticipated by patent no. 3,775,240 to Harvey ("Harvey"). As with Le Cong, the Harvey reference discloses the application of a liquid gel coat material (ref numeral 66) being applied to a form (ref. numeral 44) to form a plastic outer shell. The outer shell is treated over several steps with the addition of fiberglass (ref numeral 68), aggregate (ref. numeral 74) and reinforcing rods (ref. numerals 74 and 76) to form the final outer shell. The outer shell is then further treated with a lightweight product to form the final wall configuration. Therefore, Harvey does not disclose a rigid laminate material for containing the reinforcing material. Furthermore, the reinforcing material of the Harvey reference is not self-bonding to the laminate, as witnessed to the numerous steps required to be performed on the gel coat material to allow the reinforcing material to become a part of the overall wall construction.

The Applicant has amended claims 1, 4 and 6 of the application to include the "rigid" limitation. Support for the amendment can be found in the specification and figures. Furthermore, Applicant has amended claims 4 and 6 to state that the top side of the rigid laminate extend at least partially into said at least one interior opening (support for this amendment can be found in the specification on page 6, line 7-12). This

limitation is not disclosed in the Harvey reference as the molding process described by Harvey will not result in this configuration (see FIG. 1 in conjunction with FIG. 5)

Claim Rejection under 35 USC 103(a)- Le Cong in view of Brathwaite

The Examiner rejected claim 3 in light of Le Cong (discussed above) and Brathwaite (patent no. 4,814,220). As discussed above, the Applicant feels that he has eliminated Le Cong as an anticipating reference. Therefore, Applicant respectfully suggests the 103(a) rejecting incorporating Le Cong has also been overcome.

In addition, Brathwaite discloses a system of providing edging to countertops and the like. The reference in the Background of the Invention section refers to pre-formed countertop materials that are ready for installation. They do not disclose an acrylic sheet that is used in the preparation of a countertop material as does the Applicant's disclosure. It is impossible to ascertain from this reference how the countertops are formed (i.e, it is very likely that the countertops are formed by pouring a liquid material onto a substrate as in the Le Cong reference).

Newly Added/Amended Claims

In addition, Applicant has amended claims (claim 5) and added additional claims (claims 14-23) to further define the scope of the invention. The support for the claims regarding the at least one interior opening being of a size to accommodate a plumbing fixture (claims 5, 17 and 21) can be found in the specification, page 6, lines 18-22. The specification regarding various plumbing fixtures (claims 14, 18 and 22) can be found in the specification page 6, line 5-7 and lines 18-22. Applicant has amended claims 15, 19 and 23 to state that the top side of the rigid laminate extend completely through said at least one interior opening (support for this amendment can be found in the specification on page 6, line 7-12).

Applicant believes the foregoing addresses the concerns and the prior art cited by the Examiner. Applicant respectfully requests that the requested amendments be entered and that a timely Notice of Allowance be issued in this case.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'T. Gregory Peterson', with a long horizontal flourish extending to the right.

T. Gregory Peterson
Attorney for the Applicant
Reg. No. 45,587

OF COUNSEL
Bradley Arant Rose & White LLP
1819 Fifth Avenue North
Birmingham, Al 35203-2104
(205) 521-8084